

format including a first header and a data field with a network destination address in said communications network;

receiving said message packet at a first network transfer device having an input connected to said first network segment; the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header including local status information and a local congestion status field;

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receiving at said switching device said message packet with said second header and sending said message packet with said second header to a port of said switching device as selected by said switching address, and in response to said local status information and said local congestion field;

receiving said message packet at said second network transfer device via said switching device and forwarding said message packet to said second network segment; the second network transfer device removing said second header from said message packet.

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REMARKS

This Amendment is filed in response to the Office Action dated September 3, 1993. All objections and rejections are respectfully traversed.

At paragraph 2 of the Office Action, the disclosure was objected to because of missing U.S. Serial Numbers and Filing Dates on Page 2 and Page 26.

Applicants have amended the Specification to include the missing Serial Numbers and Filing Dates, where appropriate. No new matter was added.

At paragraph 3 of the Office Action, Claims 7-9 and 15-18 were rejected under 35 U.S.C. §112, second paragraph.

Specifically, the Examiner objected to "service class field" and "protocol class field" as being undefined.

"Service class field," used in Claims 7, 16, 19 and 22, is defined in Applicants' Specification on Page 19, Lines 1-4, and labeled as 65 in Figure 5.

"Protocol class field," used in Claims 8, 17, 20 and 23, is defined in Applicants' Specification on Page 20, Lines 5-6, and labeled as 69 in Figure 5.

Applicants' Claims have provided clear antecedent basis for terms used therein and have avoided the use of vague and indefinite language. Accordingly, Applicants respectfully urge that "protocol class field" and "service class filed" are fully disclosed as required by 35 U.S.C. §112, second paragraph.

At paragraph 5 of the Office Action, Claims 1, 3, 4, 10, 12, and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 05,060,228 (Tsutsui et al.).

Applicants' Claim 1, as amended, calls for "...a first network segment..., a first network..., the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header further including local status information and a plurality of status fields to indicate said message packet servicing, a switching device..., and a second network transfer device..."

Tsutsui et al. neither describes nor suggests said second header including a switching address translated from said destination address, said second header further including local status information and a plurality of status fields to indicate said message packet servicing, as recited in Claim 1. Accordingly, Claim 1 is patentably distinct over Tsutsui et al.

Applicants' Claim 10, as amended, calls for the steps of "...sending... a message packet..., receiving said message packet..., ...the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header further including local status information and a plurality of status fields to indicate said message packet

servicing, receiving at said switching device said message packet..., and receiving said message packet at said second network transfer device..."

Tsutsui et al. neither describes nor suggests the step of ...said second header further including local status information and a plurality of status fields to indicate said message packet servicing, as recited in Claim

10. Accordingly, Claim 10 is patentably distinct over Tsutsui et al.

At paragraph 8 of the Office Action, Claims 2, 5, 11, and 14 were rejected under 35 U.S.C. §103 as being unpatentable over Tsutsui in view of U.S. Patent 5,088,091 (Schroeder et al).

Applicants note that Claims 2 and 5 depend on Claim 1, and that Claims 11 and 14 depend on Claim 10. Claim 1 and 10 being patentable over Tsutsui in view of Schroeder et al, Applicants respectfully urge that Claims 2, 5, 11, and 14 are also patentable over Tsutsui in view of Schroeder et al.

At paragraph 9 of the Office Action, Claims 6 and 15 were rejected under 35 U.S.C. §103 as being unpatentable over Tsutsui and Schroeder et al in view of U.S. Patent 5,220,562 (Takada et al).

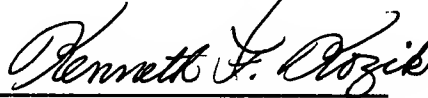
Applicants note that Claim 6 depends on Claim 1, and Claim 15 depends on Claim 10. Claim 1 and 10 being patentable over Tsutsui and Schroeder et al in view of Takada et al, Applicants respectfully urge that Claims 2, 5, 11, and 14 are also patentable over Tsutsui and Schroeder et al in view of Takada et al.

At paragraph 10 of the Office Action, the Examiner indicated that Claims 7-9 and 16-18 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112 and to include all the limitations of the base claim and any intervening claims.

Applicants have added new Claims 19-24 to write Claims 7-9 and 16-18 in independent format.

In view of the above amendments and arguments, it is submitted that Claims 1, 10, 19-24 are proper under 35 U.S.C. §112, second paragraph, and allowable under 35 U.S.C. §102 and 35 U.S.C. §103. Accordingly, reconsideration and reexamination are hereby requested.

Respectfully submitted,



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